



UNITED STATES PATENT AND TRADEMARK OFFICE

57  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,989	02/08/2002	Fredrick M. Kelley	610-26-002	4602
23935	7590	06/27/2005	EXAMINER	
KOPPEL, JACOBS, PATRICK & HEYBL 555 ST. CHARLES DRIVE SUITE 107 THOUSAND OAKS, CA 91360			ARMSTRONG, ANGELA A	
			ART UNIT	PAPER NUMBER
			2654	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/068,989	KELLEY, FREDRICK M.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Angela A. Armstrong	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/07/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howes (US Patent No. 6,738,784) in view of Groner et al (US Patent No. 6,813,603), hereinafter referred to as Groner.
2. Regarding claims 1-2, 5, and 9-10, Howes teaches a document and information processing system including a user input device, a transcription center and a natural language processing system, which provides for a method for automatically processing verbal input (col. 4, lines 51-65), the method comprising: providing an interactive voice interface for receiving and analyzing one or more verbal inputs defining one or more terms (col. 4, lines 6-65; col. 5, lines 27-41); accepting a first verbal input (col. 7, line 60 to col. 8, line 45); associating the electronic document with one or more standard industry codes, wherein said one or more standard industry codes can be used to identify the one or more terms defined by the one or more verbal inputs (col. 10, line 31 to col. 11, line 38); and arranging said one or more standard industry codes in a predetermined manner to generate a transmittable claim for reimbursement that can be processed by a processing facility (col. 10, line 31 to col. 11, line 38).

Howes does not specifically teach the document processed is a specific form of various fields or various data formatting for a form. However, accepting verbal input for a

Art Unit: 2654

corresponding field to populate predefined formatted fields of a document was well known in the art.

Groner teaches a method for populating predefined formatted fields of a form for user controlled insertion of standardized text in user selected fields during dictation of text for completing a form (col. 5, lines 3-9; col. 9, lines 42-53; col. 8, line 19 to col. 12, line 37; col. 14, lines 6-17), and specifically teaches the system is useful in easily allowing a user to populate a form using speech recognition (col. 1, lines 40-43) to increase the speed of populating forms.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system of Howes to allow for document processing of electronic forms, as taught by Groner, for the purpose of increasing the speed of populating forms of various contexts (medical, law enforcement, inspection, insurance, education and law) by allowing the user to populate the form via speech recognition.

Regarding claim 3, Howes teaches wherein the one or more standard industry codes identify at least a medical diagnosis (col. 10, line 31 to col. 11, line 38).

Regarding claim 4, Howes teaches wherein the one or more standard industry codes identify at least a medical service (col. 10, line 31 to col. 11, line 38).

Regarding claim 6, Howes teaches wherein the set of requirements define an identified set of acceptable medical terms (col. 10, line 31 to col. 11, line 38).

Regarding claim 7, Howes teaches wherein the one or more standard industry codes are CPT codes (col. 10, line 31 to col. 11, line 38).

Regarding claim 8, Howes teaches wherein the one or more standard industry codes are ICD codes (col. 10, line 31 to col. 11, line 38).

Art Unit: 2654

3. Regarding claims 11-24, claims 11-24 are similar in scope and content to claims 1-10, and therefore, are rejected under similar rationale.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Ho (US Patent No. 5,619,708) discloses a system and method for generating database input forms.

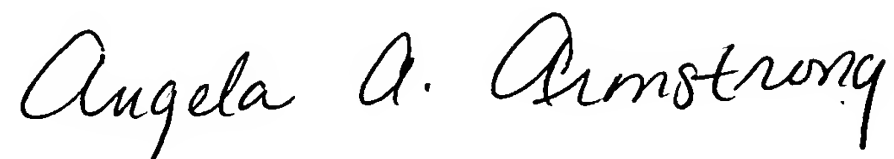
Lucas et al (US Patent No. 6,834,264) discloses a method and apparatus for voice dictation and document production.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "Angela A. Armstrong". The signature is written in a cursive, flowing style.

Angela A Armstrong  
Examiner  
Art Unit 2654

AAA  
June 22, 2005